



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

May 25, 2005

Mr. Craig Worthington
Worthington Landscape
6536 South 1300 West
Taylorsville, Utah 84123

Subject: Acceptance of Notice of Intention to Commence Small Mining Operations and Approval of Reclamation Bond and Reclamation Contract, Worthington Landscape, Worthington Landscape Mine, S/035/025, Salt Lake County, Utah

Dear Mr. Worthington:

On May 16, 2005, Mark Mesch, acting for the Director of the Division of Oil, Gas and Mining, signed the reclamation contract for the referenced mine. Copies of the fully signed and executed documents are enclosed for your files.

The Division finds your small mining notice of intention complete and approves the reclamation surety for the Worthington Landscape Mine. Please note, however, that acceptance from Oil, Gas and Mining does not constitute approval from other agencies, such as Air Quality and Bluffdale City. On April 29, 2005, we received a copy of a letter from Bluffdale City saying the area is zoned for residential use and that mining is not authorized. We advise you to resolve this issue prior to commencing or continuing your operations.

In your notice, you requested variances from seedbed preparation and seeding requirements because the area will be subdivided after mining is complete. Because there is currently no approved subdivision, the Division hereby denies the variance request. You are required to reestablish vegetation in the areas you mine, but if a housing development is eventually approved for these areas, we would be willing to reexamine this issue.

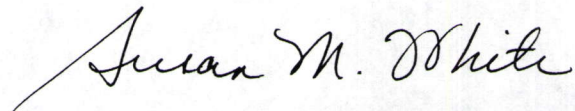
We have received notification from the Division of State History that no historic properties should be affected by your operation, but if you encounter cultural resources, you are asked to immediately cease operations and notify both the Division of Oil, Gas and Mining and the Division of State History.

Page 2 of 2
Craig Worthington
S/035/025
May 25, 2005

The acceptance of this notice and surety is for a small mining operation only, **not to exceed 5 acres**. You are not authorized to disturb additional areas without first amending your notice, adjusting the bond amount and receiving written acceptance from this office. If you wish to expand to a large mine status (greater than 5 acres), approval typically takes up to six to twelve months or longer. Please allow the appropriate lead time to complete the permitting.

If you have questions or concerns regarding this letter, please contact me at (801) 538-5258 or Paul Baker at (801) 538-5261. Best wishes with your new mining venture.

Sincerely,

A handwritten signature in cursive script that reads "Susan M. White". The signature is written in dark ink and is positioned above the printed name and title.

Susan M. White
Mine Program Coordinator
Minerals Regulatory Program

SMW:PBB:jb
Enclosure: Copy of RC & surety forms
cc: Blaine Gehring, Bluffdale City
O:\M035-SaltLake\S0350025-Worthington\final\appvl-05252005.doc